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7 BUDGET RENT A CAR SYSTEM, INC.,
Erroneously sued as AVIS RENT A CAR
8 SYSTEMS, LLC and PV HOLDING
CORPORATION
9

10 UNITED STATES DISTRICT COURT

11 DISTRICT OF NEVADA

12 REBECCA LEMPERLE, individually,

CASE NO.: 2:18-cv-00202-JCM-CWH

13 Plaintiff,

14 vs.

15 VINCENT TJOTA, individually; AVIS
RENT A CAR SYSTEMS, LLC, a foreign
16 limited liability company; PV HOLDING
CORP., a foreign corporation; DOES I-X,
17 and ROE CORPORATIONS I-X, inclusive,

**[PROPOSED] STIPULATION TO
ENLARGE DISCOVERY PLAN AND
SCHEDULING ORDER
(FIRST REQUEST)**

18 Defendants.
19

20 Pursuant to LR 6-1 and LR 26-4, the parties, by and through their respective
21 counsel of record, hereby stipulate and request that this Court extend discovery in the
22 above-captioned case over ninety (90) days, including Monday, March 14, 2019, to
23 complete a FRCP medical exam. In addition, the parties request that the dispositive
24 motions and pretrial order deadlines be extended as outlined herein. In support of this
25 Stipulation and Request, the parties state as follows:

26 **STATEMENT SPECIFYING DISCOVERY COMPLETED**

27 Plaintiff served her initial disclosures.

28 Defendants served their initial disclosures.

1 Plaintiff served written discovery.

2 Defendants served written discovery.

3 Defendants requested a Rule 35 medical exam.

4 **DISCOVERY REMAINING**

5 1. The parties will complete all written discovery.

6 2. The Plaintiff will take the deposition of the Defendants.

7 3. The Defendants will retain a medical expert to conduct a FRCP Rule 35
8 medical examination for any part in controversy.

9 3. The Defendants will take the deposition of the Plaintiff to coincide with her
10 FRCP Rule 35 medical examination.

11 3. The parties will take the depositions of any and all other witnesses garnered
12 through discovery.

13 This Request for an extension of time is not sought for any improper purpose or
14 other purpose of delay. Rather, it is sought by the parties solely for the purpose of
15 allowing sufficient time to conduct discovery.

16 **WHY REMAINING DISCOVERY HAS NOT BEEN COMPLETED**

17 Recently counsel have met and conferred regarding the Defendants' request for an
18 extension of time to complete the FRCP 35 medical exam of Plaintiff, who currently
19 resides out of the country. Defense counsel cannot schedule and complete the exam
20 until after the current deadline to disclose initial experts (October 3, 2018), as the doctor's
21 office needs more dates and times to conduct the exam, and complete the report
22 sometime after November, 2018. Mike Kristof, Esq., Plaintiff's counsel, has agreed to
23 extend the deadlines to complete the exam due to the doctor's limited availability, and
24 then complete the Plaintiff's deposition to coincide with the exam. This will save time,
25 costs and judicial resources, and allow Plaintiff to travel a great distance.

26 The parties have been compiling documents and investigating the instant action.
27 The parties are actively engaged in written discovery and will proceed with any remaining
28

1 case depositions. The parties jointly request the Court to approve the foregoing First
2 Extension to the Stipulated Discovery Plan and Scheduling Order as follows:

3 Extension or Modification of The Discovery Plan and Scheduling Order.

4 LR 26-4 governs modifications or extension of this discovery plan and scheduling
5 order. Any stipulation or motion must be made no later than twenty-one (21) days before
6 the expiration of the subject deadline, and comply fully with LR 26-4.

7 The following is a list of the current discovery deadlines and the parties' proposed
8 extended deadlines.

9 PROPOSED SCHEDULE FOR COMPLETING DISCOVERY

Scheduled Event	Current Deadline	Proposed Deadline
Discovery Cut-off	December 3, 2018	March 14, 2019
Amendment to Pleadings	September 5, 2018	December 14, 2018
Interim Status Report	September 5, 2018	December 14, 2018
Expert Disclosure pursuant to Fed R. Civ. P. 26 (a)(2)	October 3, 2018	January 14, 2019
Rebuttal Expert Disclosure pursuant to Fed. R. Civ. P. 26(a)(2)	November 2, 2018	February 14, 2019
Dispositive Motions	January 4, 2019	April 15, 2019
Joint Pretrial Order	February 4, 2019	May 14, 2019

21 This Request for an extension of time is not sought for any improper purpose or
22 other purpose of delay. Rather, it is sought by the parties solely for the purpose of
23 allowing sufficient time to conduct discovery in this multi-party case and adequately
24 prepare their respective cases for trial.

25 This is the first request for extension of time in this matter. The parties respectfully
26 submit that the reasons set forth above constitute compelling reasons and good cause for
27 the short extension.

1 WHEREFORE, the parties respectfully request that this Court extend the discovery
2 period from the current deadline up to and including March 14, 2019 and the other
3 discovery dates as outlined above, as the Rule 35 medical exam, expert report and
4 depositions cannot be completed within the current discovery deadlines.

5 Respectfully Submitted,

6 DATED: August 17, 2018.

7 THE POWELL LAW FIRM

8
9 By /s/ Paul D. Powell
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14 DATED: August 17, 2018.

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23
24 ORDER

25 "IT IS SO ORDERED.

26 DATED: August 17, 2018 "

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28 
UNITED STATES MAGISTRATE JUDGE